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5  
6 Counsel for Defendant CRAYTON

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-07-803 MMC
	)	
12 Plaintiff,	)	
	)	<b>STIPULATION AND [PROPOSED]</b>
13 vs.	)	<b>ORDER TO CONTINUE SENTENCING</b>
	)	<b>DATE</b>
14 LAWRENCE CRAYTON,	)	
	)	Date: July 16, 2008
15 Defendant.	)	Time: 2:30 p.m.
	)	Court: The Honorable Maxine M. Chesney
16	)	

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18 Undersigned counsel stipulate as follows:

- 19 1. Sentencing in this matter is currently set for July 16, 2008, at 2:30 p.m.;
- 20 2. Defense counsel recently received several documents that she had requested and
- 21 had asked her client to request from medical facilities, family friends and
- 22 relatives. These documents include letters of support on behalf of Mr. Crayton;
- 23 letters explaining family circumstances leading to the instant offense, and medical
- 24 records of Mr. Crayton's wife, Linda Crayton, which are relevant to the time
- 25 period charged in the indictment;
- 26 3. These letters and medical records have been coming in over the last few weeks.

1 Defense counsel was not able to deliver a complete package of objections/  
2 supplemental information for the Presentence Report to the Probation Officer  
3 until Friday, June 27, 2008, as these documents were still arriving over the week  
4 of June 23, 2008. The package delivered to the Probation Officer was  
5 voluminous, and contains three different sets of medical records and numerous  
6 letters of support. To ensure that the Probation Officer can adequately incorporate  
7 this material into the Final Presentence Report, a continuance is requested by  
8 defense counsel;

9 4. Defense counsel also needs to finalize her loss assessment prior to sentencing.

10 This analysis requires defense counsel to scrutinize 676 service vouchers  
11 individually to determine whether the voucher was issued legitimately or non-  
12 legitimately. This analysis is taking a substantial amount of time;

13 5. Defense counsel requests a continuance of the sentencing for these purposes of  
14 either one or two weeks, at the Court's discretion;

15 6. Government counsel has no opposition to the request for a continuance of the  
16 sentencing date for these purposes;

17 7. Defense counsel has conferred with Courtroom Deputy Tracy Lucero about the  
18 date best suited to the Court for a continuance; July 23, 2008 or July 30, 2008.  
19 Ms. Lucero has suggested July 30, 2008 as the date that best fits into the Court's  
20 schedule. As such, the parties are requesting July 30, 2008 as a new sentencing  
21 date;

22 8. USPO Cris Carruba is available for a sentencing on July 30, 2008 at 2:30 p.m.  
23 She requests the Court to further order that the Final Presentence Report in this  
24 matter is not due until July 16, 2008, which will allow sufficient time for her to

25 \\\

26 \\\

1 prepare the Final Presentence Report.

2  
3 **IT IS SO STIPULATED**

4 Dated: July 2, 2008

5 \_\_\_\_\_/S/\_\_\_\_\_  
ELIZABETH M. FALK  
Assistant Federal Public Defender

6  
7 Dated: July 2, 2008

8 \_\_\_\_\_/S/\_\_\_\_\_  
TINA HUA  
Assistant United States Attorney

9  
10 **[PROPOSED] ORDER**

11 GOOD CAUSE APPEARING, it is hereby ORDERED that the sentencing date in the  
12 aforementioned matter currently set for July 16, 2008, is vacated. The sentence date shall be  
13 continued to July 30, 2008 at 2:30 p.m. The Final Presentence Report is due to this Court no  
14 later than July 16, 2008.

15 **IT IS SO ORDERED.**

16  
17  
18 Dated: \_\_\_\_\_

19 \_\_\_\_\_  
THE HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE